

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 13, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CONFEDERATED TRIBES AND
BANDS OF THE YAKAMA NATION,

Plaintiff,

v.

CITY OF YAKIMA, a municipal
corporation,

Defendant.

No. 1:20-CV-03156-SAB

ORDER AND JUDGMENT

On November 30, 2022, Defendant City of Yakima filed a Notice of Offer of Judgment. ECF No. 115. Plaintiff Confederated Tribes and Bands of the Yakama Nation filed a Notice of Acceptance of Offer of Judgment on December 12, 2022. ECF No. 124. Pursuant to Fed. R. Civ. P. 68(a), and good cause existing, the Court enters the judgment.

Accordingly, **IT IS HEREBY ORDERED:**

1. Judgment is **ENTERED** against Defendant City of Yakima and in favor of Plaintiff Confederated Tribes and Bands of the Yakama Nation.

2. Defendant City of Yakima shall pay to Plaintiff Confederated Tribes and Bands of the Yakama Nation the amount of \$295,000.00, plus prejudgment interest, in settlement of Plaintiff Confederated Tribes and Bands of the Yakama Nation's claimed response costs, attorney fees, and costs through November 1, 2022.

ORDER AND JUDGMENT *1

1 3. The Court **DECLARES** that Defendant City of Yakima is liable for
2 future response costs incurred by Plaintiff Confederated Tribes and Bands of the
3 Yakama Nation, beginning on November 2, 2022, at the Interstate 82 Exit 33A
4 Yakima City Landfill Site that are not inconsistent with the National Contingency
5 Plan, including reasonable attorney fees as provided by statute.

6 4. The Court shall retain jurisdiction over this matter for the purpose of
7 enforcing this Order.

8 5. The pretrial conference on December 14, 2022, and jury trial on
9 January 9, 2023, are **STRICKEN** from the Court's calendar.

10 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
11 file this Order, provide copies to counsel, and **close** the file.

12 **DATED** this 13th day of December 2022.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style with a horizontal line underneath.

Stanley A. Bastian
Chief United States District Judge